IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3803 OF 2007

Anusaya Namdev Satav .. Petitioner.

Versus

Mrs.Muktabai Bhimaji Salunke .. Respondent.

Mr.A.B.Avhad for the petitioner.

None for the respondent.

CORAM : S.C.DHARMADHIKARI, J.

DATE : 4TH JULY, 2007.

P.C.:

1. The order under challenge is passed on an application for amendment. The Court below has by applying liberal principles permitted amendment to the pleadings and has clearly observed that no prejudice is likely to be caused to the petitioner, save and except, inconvenience on account of delay which is capable of being compensated in terms of money. In other words, by awarding cost, the equities can be balanced.

2. In the above circumstances, I see no reason to interfere with the impugned order allowing amendment, in my limited jurisdiction under Article 227 of the Constitution of India. More so, when the order does not cause any prejudice to parties nor is vitiated by any error apparent nor perverse. However, in the interest of justice, the Trial Court is directed to conclude the proceedings within a period of six weeks from the date it receives a copy of this order.

3. Petition is dismissed subject to above.

(S.C.Dharmadhikari, J.)